

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
 v.) Criminal No. 04-30034-MAP
)
)
 MICHAEL CROOKER,)
 Defendant.)

Government's Motion for
an Order of Excludable Delay and for a Status Conference

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, respectfully requests that the Court enter an order of excludable delay in this case from March 25, 2005 until today, May 6, 2005.

In support of this motion the government states:

1. On February 24, 2005, the Court issued a scheduling order requiring Mr. Crooker to file a motion to reconsider the denial of his motion to dismiss the indictment by March 25, 2005, and a motion to suppress by April 15, 2005. The Court also ordered that the government respond to the motions by today, May 6, 2005.

2. On February 28, 2005, the Court granted the government's assented to motion for an order excluding the time from February 23, 2005, to March 25, 2005, from the time within which the case was required to be tried under the Speedy Trial Act.

3. Assuming that Mr. Crooker filed his motion to reconsider on March 25, 2005, the time from the filing of that motion until its disposition sometime after today would have been excluded pursuant to 18 U.S.C. § 3161(h)(1)(F).

4. Mr. Crooker has filed neither a motion for reconsideration nor a motion to suppress. As a result, the automatic statutory exclusion of time pursuant to Section 3161(h)(1)(F) is not in effect.

5. Since the time from March 25, 2005, until today has passed as a result of Mr. Crooker's request to file motions, the government requests that the Court exclude that time from the Speedy Trial Act clock as in the best interests of the parties, the Court and the public and therefore, in the interests of justice, pursuant to 18 U.S.C. § 3161(h)(8)(A).

6. In addition, the government requests that the Court set a status conference so that further proceedings in this case can be scheduled.

Respectfully submitted,
MICHAEL J. SULLIVAN
United States Attorney

by: /s/ Kevin O'Regan
Kevin O'Regan
Assistant U.S. Attorney

Date: May 6, 2005

Certificate of Service

May 6, 2005

I certify that on May 6, 2005, I caused the foregoing document to be mailed to counsel for the defendant, Vincent Bongiorno, Esq, 95 State Street, Springfield, MA 01103.

/s/ Kevin O'Regan
Kevin O'Regan
Assistant U.S. Attorney